

2006-020096

Klamath County, Oregon



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10/05/2006 03:20:03 PM

Fee: \$36.00

AFFIDAVIT OF MAILING

ASPEN: 63255

STATE OF OREGON)
)
COUNTY OF JACKSON)

I, JOAN CHRISTOPHER, of DAVIS, HEARN, SALADOFF & SMITH, P.C. of Ashland, Oregon, hereby certify that I mailed a copy of the Trustee's Notice of Sale which is attached hereto unto the following persons or entities pursuant to the provisions of ORS 85.740(1). The Notice was sent by Certified and First Class Mail on May 30, 2006, in letters addressed to:

Aaron A Powless
4738 Sturdivant Street
Klamath Falls OR 97603

Aaron A Powless
223 N Spring Street
Klamath Falls OR 97601

Aaron A Powless
P O Box 5143
Klamath Falls OR 97601

Klamath County Tax Assessor
316 Main Street
Klamath Falls OR 97601

ABC Supply Company Inc
10801 A Street South
Tacoma WA 98444

Oregon Contractors Workers Comp Trust
c/o Wallace Klor & Mann PC
5800 Meadows Road #220
Lake Oswego OR 97035

Jill Peterson
4616 Sturdivant Avenue
Klamath Falls OR 97603

Steven Wilcox
5472 Red Fern Lane
Klamath Falls OR 97601

Lumbermens Inc.
P O Box 1268
Klamath Falls OR 97601

Ted Lindow
3710 Madison Street
Klamath Falls OR 97603

Super 8 Motel
P O Box 413
Platville WI 53818

State of Oregon
Department of Revenue
955 Center Street NE
Salem OR 97301

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#36-A
Affidavit of Mailing -1-

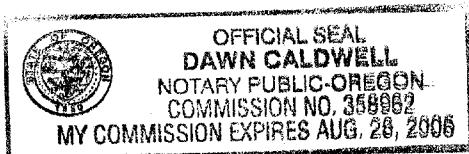
LAW OFFICES OF
DAVIS, HEARN, SALADOFF & SMITH
A Professional Corporation
515 EAST MAIN STREET
ASHLAND, OREGON 97520
(541) 482-3111 FAX (541) 488-4455

Klamath County Planning Department
305 Main Street
Klamath Falls OR 97601

Carter-Jones Collection Agency
1143 Pine Street
Klamath Falls OR 97601

Joan Christopher
JOAN CHRISTOPHER

SUBSCRIBED AND SWORN to before me this 30 day of May, 2006.



Dawn Caldwell
Notary Public for Oregon
My Commission Expires: 8/26/06

TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made, executed and delivered by Aaron Powless, as grantor, to Aspen Title & Escrow, Inc., as trustee, to secure certain obligations in favor of Vernon G. Ludwig, as beneficiary, dated April 22, 1999, and recorded in Book M-99, Page 16544 of the Official Records of Klamath County, Oregon, on April 30, 1999, covering the following described real property, to wit:

Lot 2, Block 3, SUNNYLAND ADDITION IN THE CITY OF KLAMATH FALLS, according to the official plat thereof on file in the office of the Clerk of Klamath County, Oregon.

Both the beneficiary and the trustee have elected to sell the said real property to satisfy the obligations secured by said trust deed and to foreclose said trust deed by advertisement and sale. The default for which the foreclosure is made is grantor's failure to pay when due the following sums owing on said obligations, which sums are now past due, owing and delinquent:

Monthly installments of \$205.72 per month, beginning with the installment due January 1, 2006, and monthly installments in the same amount due the same day of each month thereafter.

By reason of said default, and grantor's failure to pay all delinquent real property taxes, the beneficiary has declared the entire unpaid balance of all obligations secured by said trust deed together with the interest thereon, immediately due, owing and payable, said sums being the following to wit:

\$10,788.46, together with interest thereon at the rate of 12% per annum from December 6, 2005, until paid, plus a late fee of 5% of any payment not received within 15 days of its due date, plus trustee's fees, attorney's fees, foreclosure costs and any sums advanced by the beneficiary pursuant to the terms of said trust deed.

A notice of default and election to sell and to foreclose was duly recorded and assigned No. M-06, Page 08289 of the Official Records of Klamath County, State of Oregon. Said Notice of Default and Election to Sell was recorded April 27, 2006.

WHEREFORE, NOTICE HEREBY IS GIVEN that the undersigned trustee will on the 17th day of October, 2006, at the hour of 10:00 o'clock a.m., Pacific Daylight Time as established by Section 187.110, Oregon Revised Statutes, at the offices of Aspen Title & Escrow, Inc., 525 Main Street, Klamath Falls, OR 97601, sell at public auction to the highest bidder for cash the interest in the said described real property which the grantor had or had power to convey at the time of the execution of the said trust deed, together with any interest which the grantor or

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successors in interest acquired after the execution of said trust deed, to satisfy the foregoing obligations thereby secured and the costs and expenses of sale, including a reasonable charge by the trustee. Notice is further given that certain persons referred to in the Oregon Revised Statutes have the right to have the foreclosure proceeding dismissed and the trust deed reinstated by payment of the entire amount due (other than such portion of said principal as would not then be due had no default occurred) together with costs, trustee's and attorney's fees at any time prior to five days before the date of said sale, provided that all other defaults referred to above are cured by then.

DATED this 20th day of May, 2006.

DAVIS, HEARN, SALADOFF & SMITH
A Professional Corporation



JACK DAVIS, Successor Trustee